

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

SABRINA KENT,)
)
Plaintiff,)
)
v.) CASE NO. CV422-134
)
)
FRED WILLIAMS HOMEBUILDERS,)
Installer, and SHELL OIL CO.,)
Maker/Producer,)
)
Defendants.)
)

O R D E R

On May 23, 2022, Plaintiff Sabrina Kent filed her Complaint against Defendants Fred Williams Homebuilders and Shell Oil Co. alleging that water pipes in her attic malfunctioned and flooded her home. (Doc. 1.) Plaintiff sought to proceed in forma pauperis (Doc. 2), but on the Magistrate Judge's recommendation (Doc. 4), this Court denied her motion (Doc. 5). On July 28, 2022, the Magistrate Judge ordered Plaintiff to pay her filing fee no later than August 15, 2022, or face dismissal. (Doc. 6 at 1-2.) Plaintiff has not complied with the Magistrate Judge's order.

"Federal courts possess an inherent power to dismiss a complaint for failure to comply with a court order." Foudy v. Indian River Cnty. Sheriff's Off., 845 F.3d 1117, 1126 (11th Cir. 2017) (citing Goforth v. Owens, 766 F.2d 1533, 1535 (11th Cir. 1985)). As the Supreme Court has stated, "[t]he power to invoke

this sanction is necessary in order to prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars of the District Courts." Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S. Ct. 1386, 1388, 8 L. Ed. 2d 734 (1962). Similarly, under Local Rule 41.1(b) and (c) "the assigned Judge may, after notice to counsel of record, sua sponte, or on motion of any party, dismiss any action for want of prosecution, with or without prejudice" for "[w]illful disobedience or neglect of any order of the Court; or . . . [a]ny other failure to prosecute a civil action with reasonable promptness." S.D. Ga. L.R. 41.1.

In this case, the Court finds that Plaintiff has failed to comply with the Magistrate Judge's order, and therefore, the appropriate sanction in this case is dismissal. See Aitken v. Florida, No. 5:21-cv-205-TKW/MJF, 2022 WL 447577, at *2 (N.D. Fla. Jan. 19, 2022) (dismissing pro se case for failure to pay filing fee and comply with Court's show cause order). Accordingly, Plaintiff's complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 26th day of September 2022.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA